

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Revenue Department - District Administration - Un-authorized utilization of Government money of Rs.2.42 Crore by District Collector, Krishna District in violation of Codal provisions besides keeping the sale proceeds realized on account of sale/alienation of Government land outside the Government account and utilized the same for construction of various Government buildings, etc. - Action of the District Collector, Krishna - Ratified - Orders - Issued.

REVENUE (DA) DEPARTMENT

G.O.Rt.No.692

Dated:05.05.2012

Read the following:

1. From the Dy. A.G., O/o. the Accountant General, A.P., Hyd., D.O.No.D.P.Cell-I/PDP-301/2004-05/479, Date:13.01.2005.
2. From the Spl CS & CCLA, A.P, Hyd. Lr.No.Ap2/164/2004, Dated:15.03.2005.
3. Govt.Lr.No.3499/DA.1/2005-1, Dated: 26.04.2005.
4. From the A.G., A.P., D.O.No. Report I/III/IV-8/AR 2004-05-06/18, Date:19.05.2005.
5. Govt.Lr.No.3499/DA.1/2005-2, Dated: 29.06.2005.
6. From the Prl. Acc. General (Audit -I), A.P., Hyderabad, D.O.Lr.No. PAG (CA)/DP Cell-I/PDP-301/2004-05/874, Dt:02- 08-2005
7. From the Collector, Krishna Dist.,Lr.Rc.E1/1167/2005/ Date:03.03.2005
8. From the Prl.Acc. General (Civil Audit), A.P., Hyderabad, D.O.No. Report I/II-2/AR 2004-05-2005-06/87 Date:12.09.2005.
9. From the Spl CS & CCLA, A.P, Hyd. Lr.No.AP2/1626/05, Dated:09.05.2006.

ORDER:

In the references 1st & 4th read above, the Accountant General, A.P., has stated that Government in Revenue Department issued orders in September 1998 delegating powers to District Collectors (DCs) to sell valuable Government lands through public auction and utilize proceeds from such sale for construction of suitable office complexes in the districts, divisions and Mandal head quarters . The District Collectors were required to first remit the sale proceeds into the Government Treasury under relevant Head of Account; and thereafter submit necessary proposals along with a certificate regarding the remittance from the District Treasury Officer to the Government for release of funds out of the Treasury control for taking up construction of integrated office complexes.

2. The Accountant General, A.P. has further informed that the District Collector, Krishna (DC) realised Rs.1.73 Crore on account of sale of Government lands in public auction during the year 2000-01 and Rs.1.14 crore on alienation of Government lands during 1997-2004. The amounts were however, kept as Fixed Deposit Receipt (FDR) and in savings bank account contrary to the Financial rules. The District Collector had utilized, without the approval of the Government, Rs.2.42 crore (out of Rs 3.31 crore including accrued interest) for construction of buildings for 27 Mandal Revenue Offices (Rs.1.81 Crore), Collectorate building (Rs.29.37 lakh), Camp Office (Rs.4.72 lakh), Sub-Collector's Office, Vijayawada (Rs.0.94 lakh), Government Polytechnic College building (Rs.21 lakh) and towards other expenditure (Rs.5.01 lakh).

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3. In the reference 2nd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the objection of Audit mainly is that the sale proceeds were not deposited into the Treasury as per the instructions of Government. But the Treasury Code requires that the amounts should be paid into the Treasury or deposited into the Bank. Thus, depositing the amount in Nationalised Bank is not in accordance with the instructions of the Government in terms of the G.Os. but in accordance with the provisions of the Treasury Code.

4. The Special Chief Secretary & Chief Commissioner of Land Administration has also stated that the next point raised by the Audit was that an amount of Rs 21.00 lakhs was incurred on the construction of Govt. Polytechnic College which was not covered under the Government orders. The fact that as much as Rs.1.52 crores, out of total of Rs.1.73 crores of sale proceeds was realized from Nandigama Mandal might have weighed with the Collector, in constructing the Polytechnic College at Nandigama (G.O.Ms.No.633 provides for construction of Educational Institutions with sale proceed). Hence, his action may be condoned.

5. The Special Chief Secretary & Chief Commissioner of Land Administration has further stated that on the next point raised by the Audit that the residual amount has still not been deposited, the Collector has stated that all the remaining amounts including the interest accrued has been deposited in the Treasury.

6. The Special Chief Secretary & Chief Commissioner of Land Administration has also stated that as seen from the expenditure statement as many as 27 new Mandal offices were constructed and 06 Offices were repaired /renovated. The Collector has done his best in properly utilizing the sale proceeds.

7. In the reference 7th read above, in his explanation, the District Collector, Krishna had stated that the main objection pointed out towards failure to deposit the sale proceeds in Government Account is a procedural lapse, but there has been no mis-appropriation or embezzlements or mis-utilisation or diversion of funds and as such no loss to Public Exchequer, as the sale proceeds were kept in a Nationalized Bank. He has also stated that he has remitted all the remaining amounts including interest accrued into the Government.

8. Hence, the District Collector has requested the Government to ratify his action in keeping the amount realized by way of sale proceeds of the Government land in Nationalized bank and utilizing the same for construction of MRO Offices and other Government buildings since the above amounts were utilized in the interest of Public and Administration.

9. Government, after careful examination of the matter have observe that the action of Collector, Krishna District in not depositing the sale proceeds into Treasury is in deviation of the Codal provisions and the Government orders and it is a procedural lapse which has been accepted by the Collector. However, keeping in view of the fact that there is no misappropriation or misuse or diversion of funds, Government have decided to ratify the action of the Collector, Krishna District in having deposited the amount of Rs.2.42 Crores realized by way of sale proceeds of the Government land in a Nationalised Bank instead of remitting the same into Treasury and utilized the same for construction/repairs/renovation of the Government offices.

10. Accordingly, Government hereby ratify the action of the Collector, Krishna District in keeping the amount of Rs 2.42 crores realized by way of sale proceeds of the Government land in Nationalized Bank and utilising the same for construction/repairs/renovation of the Government offices in deviation of the Codal provisions and the Government orders.

11. This order issues with the concurrence of to Finance (TFR.1) Department vide their U.O.No.8084/107/TFR/2012, Dated:09.04.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad.
The District Collector, Krishna District at Machilipatnam.
The Accountant General, A.P. Hyderabad.
The Director of Treasuries & Accounts, AP, Hyderabad.

Copy to:

The Finance (TFR.I)) Department
The Finance (Expr.Rev)) Department
Sc/Sf

// FORWARDED :: BY ORDER //

SECTION OFFICER